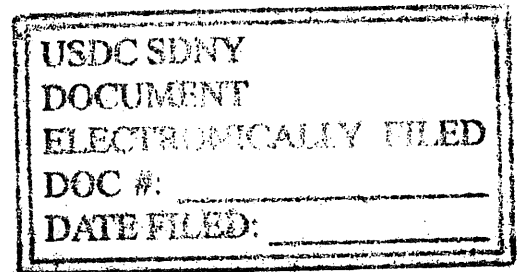


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN DOE,
Plaintiff,

-versus-

48-50 WEST 65th STREET, LLC et al.,
Defendants.



Case No. 18 Civ. 11501

ORDER


LORETTA A. PRESKA, Senior U.S. District Judge:

Before the Court is pro se defendant Heath Saunders' application for appointment of pro bono counsel [dkt. no. 60]. The factors to be considered in ruling on an indigent litigant's request for counsel include the merits of the case, the litigant's efforts to obtain a lawyer, and the litigant's ability to gather the facts and present the case if unassisted by counsel. See Cooper v. A. Sargent Co., 877 F.2d 170, 172 (2d Cir. 1989); Hodge v. Police Officers, 802 F.2d 58, 60-62 (2d Cir. 1986). Of these, the merits are "[t]he factor which command[s] the most attention." Cooper, 877 F.2d at 172. As it is too early in the proceedings for the Court to assess the merits of the action, Mr. Saunders' motion for counsel is DENIED without prejudice to renewal at a later date.

The Clerk of the Court is directed to close the open motion [dkt. no. 60] and mail a copy of this order to Mr. Saunders.

SO ORDERED.

Dated: February 25, 2020
New York, New York


Loretta A. Preska
Senior U.S. District Judge